

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) Terstappen, et al. Examiner: Christopher H. Yaen  
Serial No.: 09/865,048 AUG 16 2004 Group Art Unit: 1642  
Confirmation No.: 2293 Docket: 890-2  
Filed: May 24, 2001 Dated: FWC/CIP/CPA/CON/RCE  
August 13, 2004  
For: PHAGE ANTIBODIES

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER**

**1. Identification of Person Making this Disclaimer (Disclaimant)**

I, Edna I. Gergel, Ph.D.,

represent that I am

- ☐ an inventor of this invention.  
☐ an assignee of this invention.  
☐ a representative authorized to sign on behalf of the assignee identified below.  
☒ an attorney/agent of record for this invention.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

**FACSIMILE**

☒ Deposited with the United States Postal Service with sufficient  
postage as first class mail in an envelope addressed to the  
Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

☐ Transmitted by facsimile to the  
Patent and Trademark Office

Signature

Date: August 13, 2004

08/17/2004 AWONDAF1 00000130 09865048

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## 2. Identity of Assignee

The assignee of this invention is: Crucell Holland B.V. having an address in Leiden,  
The Netherlands.

## 3. Extent of Disclaimant's Interest

The extent of the interest in this invention that the disclaimant owns or represents is in:

☒ the whole of the invention.

☐ a sectional interest in this invention, as follows:

## 4. Recordation of Assignment in USPTO

☒ The assignment of the above-identified interest to Crucell Holland B.V. was  
recorded in the USPTO

on May 14, 2001 at

Reel 011801;

Frame 0382.

☒ Authorization for recordation of an assignment of the above-identified interest is  
attached hereto, together with a separate assignment document cover sheet (Form  
PTO 1595).

## 5. Establishing Right of Assignee to Take Action

☐ Attached is a Certificate Under 37 CFR 3.73(b) establishing the right of the assignee  
to take action in this case.

## 6. Disclaimer

The terminal part of the statutory term of any patent granted on the present application  
identified above, which would extend beyond the expiration date of the full statutory term defined in  
35 U.S.C. 154 to 156 and 173 of:

☒ United States Patent No. 6,265,150 B1, as presently shortened by any terminal  
disclaimer,

☐ Any patent granted on Application Serial No. \_\_\_\_\_,

is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the  
present application shall be enforceable only for, and during, such period that the legal title to the  
patent granted on the present application shall be the same as the legal title to the specified patent, this  
agreement to run with any patent granted on the present application and to be binding upon the  
grantee, its successors, and assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent  
granted on the present application that would extend beyond the expiration date of the full statutory  
term as defined in 35 U.S.C. 154 to 156 and 173 of the patent specified herein in the event that the  
latter patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid  
by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed  
under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued in any matter,  
or is terminated prior to expiration of its full statutory term as presently shortened by any terminal  
disclaimer, except for the separation of legal title identified above.

**7. Fee status**

A fee is due under 37 CFR 1.20(d):

- ☐ Other than a small entity--fee \$110.00.  
☒ Small entity--fee \$55.00.

**8. Fee Payment**

- ☒ Attached is a check in the sum of \$ 55.00.  
☐ Charge Account No. \_\_\_\_\_ the sum of \$\_\_\_\_.  
A duplicate of this transmittal is attached.

Please charge Deposit Account 08-2461 for any deficiency, or credit same for any overpayment.


**9. Declaration**

☐ As I am not a person registered to practice before the Office, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Disclaimant

\_\_\_\_\_  
Address  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Signature of Attorney/Agent of Record  
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